



09939253 031902

03C04

Serial No. 09/938,106

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SPACER FOR SEMICONDUCTOR  
DEVICES, SEMICONDUCTOR DEVICES AND  
ASSEMBLIES INCLUDING THE SPACER,  
AND METHODS

**Examiner:** Unknown

**Group Art Unit:** 2811

**Attorney Docket No.:** 4830US (01-0106)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 11, 2002  
Date of Deposit

Signature of registered practitioner or other  
person having reasonable basis to expect  
mailing to occur on date of deposit shown  
pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Deidra Pfeil  
Typed/printed name of person whose  
signature is contained above

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a copy of the Notice of Incomplete Reply, along with the Formal Drawings required in connection with the above-referenced application.

Respectfully submitted,

Brick G. Power  
Registration No. 38,581  
Attorney for Applicant  
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Date: March 11, 2002

Enclosures: Copy of Notice of Incomplete Reply  
Check no. 17695 in the amount of \$130.00.  
Second Transmittal of Formal Drawings  
Formal Drawings (4 sheets)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,253	08/24/2001	James M. Derderian	4830US (01-0106)

O I P E J C I S  
MAR 19 2002  
PATENT & TRADEMARK OFFICE  
4247

TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

CONFIRMATION NO. 2189

## FORMALITIES LETTER



\*OC000000007400201\*

Date Mailed: 01/31/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

03/25/2002 SMINASS1 00000063 09939253

## Filing Date Granted

01 FC:122

130.00 DP

The U.S. Patent and Trademark Office has received your reply on 01/03/2002 to the Notice to File Missing Parts (Notice) mailed 10/01/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The following item(s) appear to have been omitted from the application:

- Figure(s) 9A, 9B, 9C, & 12 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete

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sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

*M. dress*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE